



State of Ohio Environmental Protection Agency

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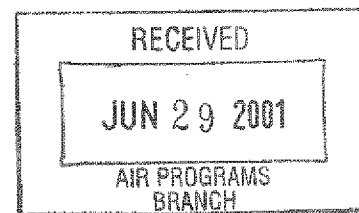
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June 19, 2001

Mr. David Ullrich
Acting Regional Administrator
U. S. EPA, Region V
77 West Jackson Blvd.
Chicago, Illinois 60604



RE: Ohio SIP Revisions

Dear Mr. Ullrich:

I am writing to request withdrawal of the following two previously submitted requests for revisions to Ohio's State Implementation Plan (SIP): a) a revision related to the nuisance rule; and b) a revision related to the best available technology (BAT) requirements in Ohio's new source review (NSR) SIP. In addition, with this letter, Ohio will reaffirm its request to revise Ohio's SIP to include public participation procedural rules for air pollution permits to install (PTIs), and to commit to completing three additional changes in Ohio's NSR SIP.

The Ohio Environmental Protection Agency (Ohio EPA) would like to withdraw its requests to remove Ohio's nuisance rule and the BAT requirements from Ohio's SIP. The SIP revision that we are requesting adds language to the SIP concerning public notices and procedural rules for air pollution permits to install. The three SIP revisions that we will commit to complete within the next twelve months are: (1) adding a 25 ton per year particulate matter significance level, (2) adding hydrogen sulfide (H₂S) to the definition of total reduced sulfur, and (3) adding a 50 tons per year non-methane organic compound significance level to Ohio's landfill rules.

Retention of the Nuisance Regulation

Please withdraw the August 10, 1999, request for U.S. EPA to remove OAC rule 3745-15-07 from Ohio's SIP. This rule deals with the prohibition of air pollution sources from causing nuisances. This action will keep the nuisance regulation as part of the SIP.

Bob Taft, Governor
Maureen O'Connor, Lieutenant Governor
Christopher Jones, Director

Retention of BAT References

Please withdraw Ohio's August 10, 1999, request for U.S. EPA to (1) remove the references to BAT from the approved nonattainment portion of the SIP; and (2) remove the references to BAT from the submitted attainment portion of our plan. This action will keep BAT requirements as part of the SIP.

Public Notice Section

I understand that one of the remaining issues preventing full approval for both the attainment and nonattainment NSR SIP is the requirement for the public notices and procedural rules for air pollution permits to install to be included in the SIP. Ohio proposes to add the following Ohio Administrative Code rules into the Ohio SIP: 3745-47-01, 3745-47-02, 3745-47-03, 3745-47-05, 3745-47-07, and 3745-47-08 (Section D only) of the Ohio Administrative Code (copies of these rules are attached).

On February 29, 1996, Ohio EPA submitted to U.S. EPA a revision to the new source review portion of Ohio's SIP. This revision was prepared and submitted to meet the requirements of section 182(a)(2)(c) of the 1990 Clean Air Act Amendments and of 40 CFR Part 51. This revision included rules to govern the installation of major new sources in nonattainment and attainment areas in the state of Ohio. On April 22, 1996, U.S. EPA conditionally approved the nonattainment portion of Ohio's NSR SIP (61 FR 17669).

Commitment to Correct Remaining Deficiencies

Ohio EPA has addressed most of the conditions that prevented full approval in a rule making that became effective April 27, 1998. U.S. EPA has requested the following revisions to the attainment portion of Ohio's SIP:

1. Add a 25 tons per year particulate matter significance level.
2. Change the definition of total reduced sulfur emissions to include H₂S.
3. Add a 50 tons per year significance level for non-methane organic compounds.

Ohio EPA will address these three remaining rule changes within the next twelve months. It is our belief that by completing these three SIP changes, U.S. EPA will be able to grant conditional approval of Ohio's NSR SIP, and, once these three changes have been made, will grant full approval of Ohio's NSR SIP.

Please process this request as soon as possible. Public hearings on the Nuisance, BAT and Public Participation SIP revisions have been conducted.

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The following is a list of the documents we have included to assist your review:

1. Administrative checklist for SIP revision;
2. Director's Findings and Orders dated September 25, 1998.;
3. OAC 3745-15-07 (Nuisance);
4. Ohio Revised Code Chapter 3704.03 (Powers of director of environmental protection);
5. Notice of public hearing;
6. Transcript of the hearing;
7. Public comments; and
8. Ohio EPA's responses to the public comments.

Thank you for your assistance in reviewing this package. If you have any questions, please contact Mark E. Hartman, P.E. of the Division of Air Pollution Control at (614) 644-3617.

Sincerely,



Christopher Jones
Director

Attachments

cc: Jeanne Mallett, DAPC
Mike Hopkins, DAPC
Kelly Zapata(2), DAPC
Genevieve Damico, U.S. EPA